

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ATTICUS RESEARCH CORPORATION §  
§  
Plaintiff, §  
vs. §  
VMWARE, INC., SPRINGSOURCE INC., §  
and OSS MANAGEMENT HOLDINGS, INC. §  
f/k/a HYPERIC, INC. §  
§  
Defendant. §

Case No. 4:11-cv-1741

**JURY TRIAL DEMANDED**

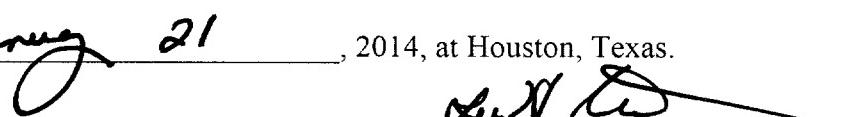
**ORDER OF DISMISSAL**

NOW before the Court is the Joint Motion To Dismiss ("Motion") filed by plaintiff Atticus Research Corporation ("Plaintiff") and defendants VMware, Inc., SpringSource Inc. and OSS Management Holdings, Inc. f/k/a Hyperic, Inc. (collectively "Defendants") requesting dismissal without prejudice of all claims and counterclaims in this action.

FOR GOOD CAUSE SHOWN, the Court finds that the Motion should be and hereby is GRANTED. Accordingly, the Court hereby ORDERS as follows:

1. All claims brought by Plaintiff against Defendants shall be dismissed without prejudice.
2. All counterclaims brought by Defendants against Plaintiff shall be dismissed without prejudice.
3. Each party shall bear its own costs, expenses and attorneys' fees in connection with this action.

Signed on January 21, 2014, at Houston, Texas.

  
Lee H. Rosenthal  
United States District Judge